

The City Council of the City of Mattoon held a regular meeting in the Council Chambers at City Hall on July 20, 2004 at 7:12 p.m. after a 6:30 p.m. caucus session.

Mayor Carter presiding.

Mayor Carter led the Pledge of Allegiance to the United States of America.

The following members of the Council answered roll call: YEA Commissioner Mark Donnell, YEA Commissioner Harold Gambill, YEA Commissioner Jerrold Hesse, YEA Commissioner David Schilling, YEA Mayor David E. Carter.

Mayor Carter seconded by Commissioner Schilling moved to approve the minutes of the rescheduled meeting held on July 7, 2004.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Donnell seconded by Commissioner Schilling moved to approve the department report of the Fire Department for the month of June.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Schilling seconded by Commissioner Gambill moved to approve bills and payroll for the first half of July.

Bills and Payroll

General Fund

Payroll		\$ 243,591.37
Bills		\$ 83,111.43
	Total	\$ 326,702.80

Hotel Tax Fund

Payroll		\$ 1,851.23
Bills		\$ 835.76
	Total	\$ 2,686.99

Festival Management

Bills		\$ 68,136.46
	Total	\$ 68,136.46

Insurance & Tort Judgment

Bills		\$ 1,868.43
		\$ 1,868.43

Water Fund

Payroll		\$	36,099.73
Bills		\$	<u>14,512.43</u>
	Total	\$	50,612.16

Sewer Fund

Payroll		\$	33,780.76
Bills		\$	<u>36,508.41</u>
	Total	\$	70,289.17

Cemetery Fund

Payroll		\$	2,300.94
Bills		\$	<u>492.42</u>
	Total	\$	2,793.36

Health Insurance

Bills		\$	<u>53,226.14</u>
	Total	\$	53,226.14

Motor Fuel Tax

Bills		\$	<u>16,395.50</u>
	Total	\$	16,395.50

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Hesse seconded by Commissioner Gambill moved to adopt Resolution 2004-2556, appropriating \$150,000 of motor fuel tax funds as provided in the annual budget for the overlay of Marshall Avenue from 6th Street to Lake Land Boulevard.

RESOLUTION 2004-2556
RESOLUTION FOR IMPROVEMENT BY
MUNICIPALITY UNDER THE ILLINOIS
HIGHWAY CODE

BE IT RESOLVED, by the Council of the City of Mattoon Illinois that the following described street (s) be improved under the Illinois Highway Code:

<u>Name of Thoroughfare</u>	<u>Route</u>	<u>From</u>	<u>To</u>
Marshall Ave.		6 th St.	17 th St.

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of milling and resurfacing of 1.5 inches of asphalt and shall be

constructed 29.3 ft. wide and be designated as Section 04-00124-00 RS.

2. That there is hereby appropriated the sum of One Hundred Fifty Thousand Dollars (\$150,000.00) for the improvement of said section from the municipality's allotment of Motor Fuel Tax funds.
3. That work shall be done by Contract; and,

BE IT FURTHER RESOLVED, that the clerk is hereby directed to transmit two certified copies of this resolution to the district office of the Department of Transportation.

I Susan J. O'Brien Clerk in and for the City of Mattoon, County of Coles, hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the Council at a meeting on July 20, 2004.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 21st day of July, 2004.

/s/ Susan J. O'Brien
City Clerk

Mayor Carter opened the floor for discussion. Council discussed the timeline for the project.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Mayor Carter seconded by Commissioner Gambill moved to adopt Ordinance 2004-5185, limiting use of personal and real property, including use of city vehicles.

Mayor Carter opened the floor for discussion. Council discussed the previous times the ordinance had been introduced, problems with City vehicles at ballgames, fair treatment across the board in all departments, World Series requirements for rescue squad/ambulance at events, and security of on-duty officers patrolling areas. Fire Chief Bruce Grafton and Police Chief Larry Metzelaars spoke on behalf of their departments and use of City vehicles.

Mayor Carter declared the motion failed by the following vote: NAY Commissioner Donnell, YEA Commissioner Gambill, NAY Commissioner Hesse, NAY Commissioner Schilling, YEA Mayor Carter.

Commissioner Donnell seconded by Commissioner Gambill moved to approve Council Decision Request 2004-337, authorizing a grant from hotel/motel tax funds to Crappie USA for a June 11, 2005 regional tournament at Lake Shelbyville that is expected to attract 178 two-person teams. \$3,000 would be granted directly to the organization to help underwrite advertising expenses and up to \$2,000 would be reserved for a 400 person buffet dinner and seminar for participants to be hosted by Mattoon Tourism at a Mattoon location.

Mayor Carter opened the floor for discussion. Commissioner Donnell expanded on the event, stating ninety-five percent of participants would be arriving from nine states two or three weeks in advance and the possibility of a future tournament at Lake Mattoon.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner

Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Mayor Carter seconded by Commissioner Schilling moved to adopt Special Ordinance 2004-1037, declaring personal property owned by the municipality surplus and authorizing its sale.

Mayor Carter seconded by Commissioner Schilling moved to amend the date of the sale to September 4, 2004 (on Special Ordinance 2004-1037, declaring personal property owned by the municipality surplus and authorizing its sale).

Mayor Carter declared the motion to amend Special Ordinance 2004-1037 carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Mayor Carter seconded by Commissioner Schilling moved to adopt Special Ordinance 2004-1037, as amended.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2004-1037

**AN ORDINANCE DECLARING PERSONAL PROPERTY OWNED BY THE MUNICIPALITY SURPLUS
AND AUTHORIZING ITS SALE**

**BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY,
ILLINOIS**, as follows:

Section 1. Supplies and equipment identified on an exhibit to this ordinance are hereby declared surplus to the needs of the City of Mattoon.

Section 2. The Police Chief is authorized to offer the vehicles used by the Police Department by sealed, competitive bids. Dwain & Don Bauer will sell all other equipment declared surplus by this resolution at public auction on September 4, 2004 at the former Garment Factory on terms acceptable to the City Attorney & Treasurer.

Section 3. The Mayor and City Clerk are hereby authorized to administratively sell and convey title to the property listed on the exhibits to this ordinance to the highest bidder without further formal consideration or approval by the City Council.

Section 4. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 5. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Mayor Carter, seconded by Commissioner Schilling, adopted this 20th day of July, 2004, by a roll call vote, as follows:

AYES (Names): Commissioner Donnell, Commissioner Gambill,
 Commissioner Hesse, Commissioner Schilling
 Mayor Carter

NAYS (Names): None

ABSENT (Names): None

Approved this 20th day of July, 2004.

/s/ David Carter

David Carter, Mayor

City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM

/s/ Susan J. O'Brien

Susan O'Brien, City Clerk

/s/ J. Preston Owen

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on July 21, 2004 .

Mayor Carter declared the motion to adopt amended Special Ordinance 2004-1037 carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Donnell seconded by Commissioner Gambill moved to approve Council Decision Request 2004-334, authorizing the Fire Chief to hire Kenny Clatfelter as a Probationary Firefighter effective July 23, 2004 and to promote Doug Dodson to the rank of Captain and Gary Collinsworth to the rank of Driver/Engineer as recommended by the Board of Fire and Police Commissioners. These vacancies will be created due to the retirement of Captain Virgil Herschberger. The promotions of Dodson and Collinsworth would become effective July 21, 2004.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Donnell seconded by Commissioner Gambill moved to approve Council Decision Request 2004-335, reporting bids received and authorizing a \$13,564 procurement from Walker Communications of intercom systems and equipment to be installed on Fire Department apparatus. 90% of this expenditure would be financed from FEMA grant funds.

Mayor Carter opened the floor for discussion. Council discussed the FEMA grant with input from Chief Grafton regarding other purchases when entire grant was not used.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Donnell seconded by Mayor Carter moved to approve Council Decision Request 2004-336, authorizing the Fire Chief to hire Barry Pullen as a Probationary Firefighter effective August 8, 2004 and to promote Anthony Nichols to the rank of Captain and Gina Lockhart to the rank of Driver/Engineer as recommended by the Board of Fire and Police Commissioners. These vacancies will be created due to the retirement of Captain Gerald Nichols. The promotions of Nichols and Lockhart would become effective August 6, 2004.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Mayor Carter seconded by Commissioner Gambill moved to recess to closed session pursuant to the Illinois Open Meetings Act for the purpose of considering the performance of an employee of the municipality (5 ILCS 120 (2)(c)(1) and threatened litigation affecting or on behalf of the City of Mattoon (5 ILCS 120/2(c)(11) at 7:40 p.m.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Council reconvened from closed session at 9:56 p.m.

Commissioner Schilling seconded by Commissioner Donnell moved to adjourn at 9:56 p.m.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

/s/ Susan J. O'Brien
City Clerk